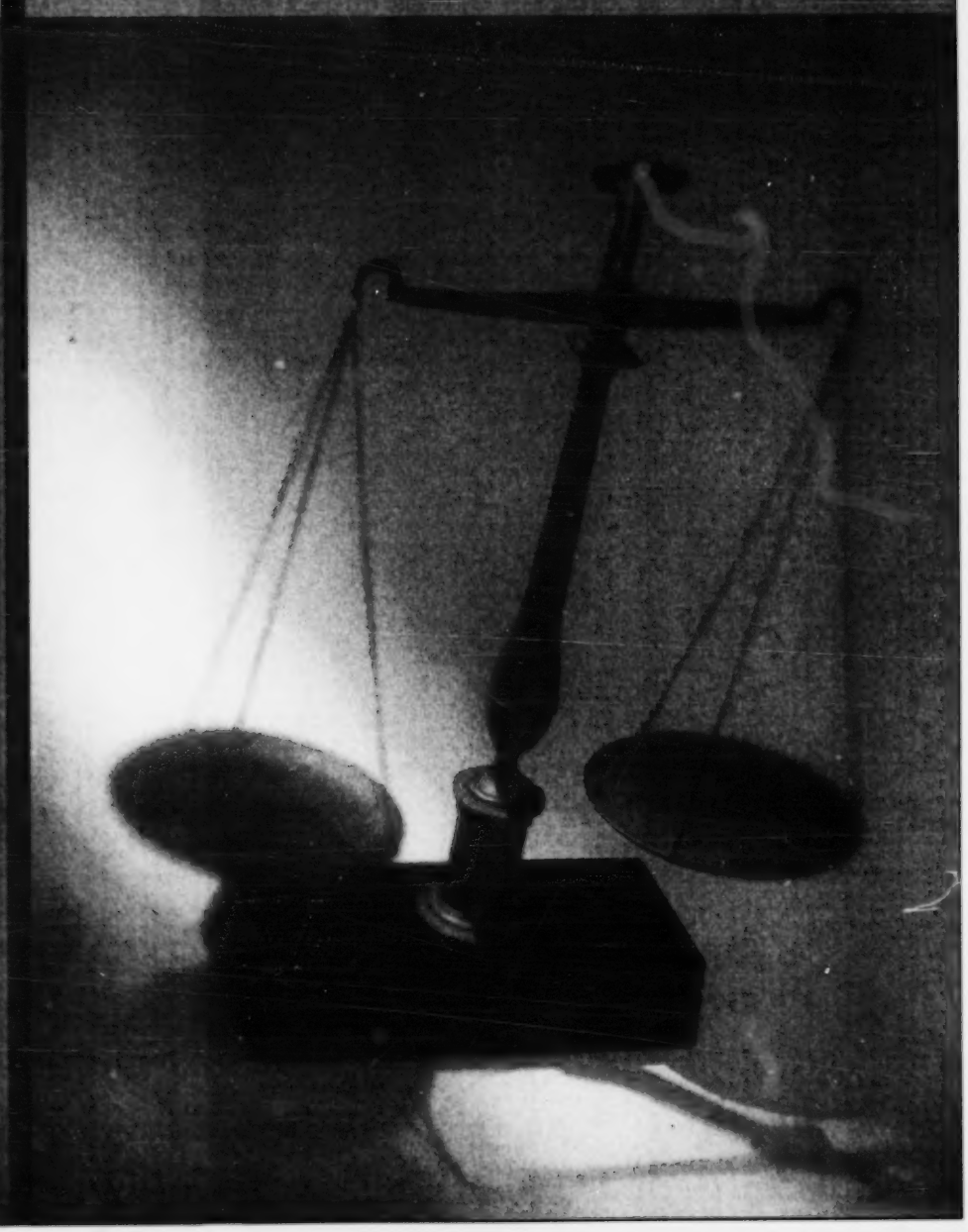
Prince Edward Island
CANADA
Office of the Attorney General

Victims of Crime Act 2008-2009 Annual Report



Twentieth Annual Report

Victims of Crime Act
R.S.P.E.I. 1988, Cap. V-3.1

April 1, 2008 to March 31, 2009

Prince Edward Island Office of the Attorney General
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September 2009

The Honourable Barbara A. Hagerman
Lieutenant Governor
Province of Prince Edward Island

May it Please Your Honour:

I have the honour to submit the Twentieth Annual Report of the administration of the *Victims of Crime Act*, R.S.P.E.I. 1988, Cap. V-3.1 pursuant to section 36 of the *Act*, for the fiscal year ended March 31, 2009.

Respectfully submitted,

Gerard Greenan

Gerard Greenan
Attorney General

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Executive Summary

Trends in Client Demand

- There were 863 new cases referred to Victim Services in 2008/2009, in addition to approximately 673 cases carried forward from the previous year. As of March 31, 2009, there were 531 active cases across the province. The average monthly caseload in 2008/09 was 657 cases.
- In 2008/2009 Victim Services assisted in the preparation and filing of 226 victim impact statements. Over the past 10 years, the number of victim impact statements filed has ranged from 157 to 340.
- Since 1999/2000, applications for Criminal Injury Compensation have fluctuated in the range of 20 to 61 applications per year. During the fiscal year 2008/2009, 25 new applications for criminal injuries compensation were filed. One hundred and seven applications were carried over from the previous year. Nineteen final decisions and four interim decisions were made in 2008/2009. A total of $107,697 was awarded in criminal injury compensation.
- In 2008/09, there were 39 applications for Emergency Protection Orders under the *Victims of Family Violence Act*, and 38 orders were granted. Since the proclamation of the act in December 1996, there have been a total of 504 Emergency Protection Orders granted.

Offence Type and Offender Information

- The most frequent types of crime for Victim Services cases in 2008/2009 were:
  - assaults (34 per cent)
  - thefts (12 per cent),
  - break and enter (8 per cent),
  - uttering threats (8 per cent),
  - sexual assault (7 per cent).
- In 333 cases, there was a family type relationship between the victim and the suspect or offender. In 250 cases, the suspect or offender was a male partner or ex-partner (either current or former husband, common-law husband, or boyfriend).

Highlights and Initiatives

Initiatives were undertaken to strengthen linkages and expand services to minority and multicultural groups.

- Partnerships with the aboriginal community continued to expand through presentations at workshops and training initiatives, and participation on the planning committee to host an Aboriginal Justice Forum in the fall of 2009.
- Funding support from the Justice Canada Victims of Crime Fund was accessed to develop new informational brochures designed for newcomers to PEI. These materials will explain the services available for victims of crime, and will be translated into four of the most common languages spoken by PEI's immigrant population – Mandarin, Korean, Persian, Spanish.

- Representatives of the Aboriginal and Francophone community were appointed to the Victim Services Advisory Committee.

Efforts to create a comprehensive response to address the needs of victims of family violence and sexual abuse continued through a number of initiatives:

- A working group was formed in 2008 to determine the feasibility of moving forward with a domestic violence court option for PEI.
- In collaboration with the Provincial Child Sexual Abuse Advisory Committee, Victim Services compiled a statistical overview of reported cases of sexual assault in PEI; and created an Inventory of Resources for Survivors of Sexual Assault and Child Sexual Abuse in PEI.
- A Best Practice Review of Services for Male Survivors of Sexual Assault was completed.
- Research was conducted to assist in the establishment of a Sexual Assault Nurse Examiner Program for PEI.

Implementation of criminal code amendments to facilitate testimony of children and other vulnerable witnesses were advanced through the following activities:

- A survey was conducted to monitor utilization of testimonial aids in appropriate cases.
- Victim Services staff participated in a one-day training session related to new federal legislative amendments.
- Federal funding was accessed to implement closed circuit television and video conferencing capability in PEI courthouses.

Sommaire

Tendances de la demande de clients

- Environ 863 cas ont été transmis au Service d'aide aux victimes en 2007-2008, en plus d'environ 673 cas reportés de l'année précédente. En date du 31 mars 2009, il y avait 531 cas actifs dans la province. La charge de causes moyenne par mois en 2008-2009 était de 657 cas.
- En 2008-2009, le Service d'aide aux victimes a aidé à préparer et à déposer 226 déclarations de victime. Au cours des dix dernières années, le nombre de déclarations de victime déposé a varié de 157 à 340.
- Depuis 1999-2000, les demandes d'indemnisation des victimes d'actes criminels ont fluctué entre 20 et 61 demandes par année. Durant l'exercice financier 2008-2009, 25 nouvelles demandes d'indemnisation des actes criminels ont été déposées, 107 ont été reportées de l'exercice précédent, 19 décisions sans appel et 4 décisions provisoires ont été rendues en 2008-2009. Un montant total de 107 697 $ a été adjugé en indemnisation des victimes d'actes criminels.
- En 2008-2009, on a rendu 39 ordonnances de protection d'urgence dans le cadre du *Victims of Family Violence Act* (loi sur les victimes de violence familiale), et 38 ordonnances ont été délivrées. Depuis la proclamation de la loi en décembre 1996, un total de 504 ordonnances de protection d'urgence ont été rendues.

Types d'infractions et renseignements sur les contrevenants

- Les types de crime les plus fréquents dans les causes traitées par le Service d'aide aux victimes en 2008-2009 ont été les suivants :
  - voies de fait (34 pour cent);
  - vols (12 pour cent);
  - introductions par effraction (8 pour cent);
  - proférations de menaces (8 pour cent);
  - agressions sexuelles (7 pour cent).
- Dans 333 cas, il y avait une relation familiale entre la victime et le suspect ou le contrevenant. Dans 250 cas, le suspect ou le contrevenant était un partenaire ou un ex-partenaire mâle (soit le mari actuel ou l'ex-mari, le conjoint de fait ou le petit ami).

Faits saillants et initiatives

On a entrepris des initiatives pour améliorer les réseaux et élargir les services aux minorités et aux groupes multiculturels.

- Les partenariats avec la communauté autochtone ont continué à s'élargir grâce à des présentations lors d'ateliers et d'initiatives de formation et à la participation au comité de planification créé pour accueillir le Forum sur la justice applicable aux Autochtones, à l'automne 2009.
- On a accédé à l'appui financier du Fonds des victimes d'actes criminels de Justice Canada pour élaborer de nouveaux dépliants d'information conçus pour les nouveaux venus à l'Î.-P.-É. Les brochures expliqueront les services à la disposition

des victimes d'actes criminels, et elles seront traduites en mandarin, coréen, perse et espagnol, soit les quatre langues les plus communément parlées par la population immigrante de l'Î.-P.-É.

- Des représentants de la communauté autochtone et francophone ont été nommés au Comité consultatif des services aux victimes.

Des efforts pour créer un plan d'ensemble pour aborder les besoins des victimes de violence familiale et d'agression sexuelle ont continué grâce à un nombre d'initiatives :

- Un groupe de travail a été formé en 2008 pour déterminer la possibilité d'aller de l'avant vers un choix de tribunal pour l'instruction des causes de violence conjugale pour l'Î.-P.-É.
- En collaboration avec le Comité consultatif provincial sur l'exploitation sexuelle des enfants, le Service d'aide aux victimes a dressé un aperçu statistique des cas rapportés d'agression sexuelle à l'Î.-P.-É., et ils ont créé un inventaire de ressources pour les survivants d'agression sexuelle et d'exploitation sexuelle des enfants à l'Î.-P.-É.
- On a fait une étude des pratiques exemplaires en matière de services pour les survivants mâles des agressions sexuelles.
- On a mené une recherche pour aider à l'établissement d'un programme d'infirmière examinatrice des victimes d'agression sexuelle pour l'Î.-P.-É.

La mise en œuvre des modifications au Code criminel pour faciliter le témoignage des enfants et d'autres témoins vulnérables a avancé grâce aux activités suivantes :

- Un sondage a été mené pour surveiller l'usage des dispositifs dans les cas appropriés.
- Le personnel du Service d'aide aux victimes a participé à une séance de formation d'une journée liée aux nouvelles modifications législatives fédérales.
- On a accédé au financement fédéral pour mettre en place des systèmes de télévision en circuit fermé et de vidéoconférence dans les palais de justice de l'Î.-P.-É.

Part I

Introduction

The *Victims of Crime Act*, R.S.P.E.I. 1988, Cap.V-3.1 was proclaimed in force September 30, 1989. Regulations and orders under the act also came into force on that date. Extensive amendments to the act came into effect August 7, 1999.

The Statement of Principles contained in Part I of the *Victims of Crime Act* sets out the following principles for the guidance of persons in providing justice for victims of crime:

(a) Victims should be treated with courtesy and compassion and with respect for their dignity, privacy, and convenience.

(b) Victims should receive prompt and fair financial redress for the harm they have suffered.

(c) Victims should be informed of and should have access to services including social, medical, legal, and mental health assistance.

(d) Victims should be informed about the progress of the investigation and prosecution of the offence, court procedures, the role of the victim in court proceedings, and the ultimate disposition of the proceedings.

(e) Victims are entitled, where their personal interests are affected, to have their views and concerns brought to the attention of the court where consistent with criminal law and procedure.

(f) Victims and their families should be protected from intimidation, retaliation, and harassment.

(g) Victims should have their stolen property returned to them as soon as possible after recovery by law enforcement authorities.

(h) Victims are entitled to prepare a victim impact statement and have it considered by the court at sentencing.

(i) Victims are entitled to be informed about the offender's status, including release dates, parole eligibility, and probation terms.

The *Victims of Crime Act* also establishes the Victim Services Advisory Committee, the Victim Services Program, the Victim Assistance Fund, and the Criminal Injuries Compensation Program.

Part II

Report of the Victim Services Advisory Committee

Committee Mandate

The Victim Services Advisory Committee is established under *Victims of Crime Act* with the mandate to:

a) review existing laws, policies and procedures and recommend changes to benefit victims;

b) assist law enforcement agencies, social agencies and other organizations with the development of guidelines that promote the principles set out in this act relating to their role in respect of victims;

c) assist with establishing and updating procedures for the handling of complaints by victims;

d) assist with the research, development and distribution of information pertaining to the needs, rights and concerns of victims;

e) provide opportunities for research, discussion, and resolution of issues of concern to victims; and

f) advise on other matters that the Minister may refer to the committee for consideration.

The committee may make recommendations to the Minister relating to:

a) the development of policies and legislation respecting assistance to victims;

b) the provision of services, including criminal injuries compensation, to victims; and

c) any other matters that the Minister refers to the committee for its recommendation.

Committee Membership and Meetings

Members of the Victim Services Advisory Committee as of March 31, 2009, and the organizations they represent are as follows:

Donna Langille	Community Legal Information Association
Lisa Murphy	Advisory Council on the Status of Women
Yolande Richard	Law Society of Prince Edward Island
Lisa Goulden	Crown Attorneys
Sigrid Rolfe	P.E.I. Rape and Sexual Assault Centre
Karen MacDonald	Community Programs, Office of the Attorney General
Chief Lewis Sutherland	PEI Association of Chiefs of Police
Sgt. Denis Morin	RCMP "L" Division
Cindy Banks	Transition House Association
Melissa Coffin	PEI Association for Newcomers to Canada
Judy Turpin	Court Services
Judy MacDougall	Department of Education
Lori St. Onge	Aboriginal Community
Sr. Norma Gallant	Francophone Community and Seniors

The committee is assisted in its operations by the Victim Services Provincial Manager and Secretary. The Director of Justice Policy Division, Office of Attorney General, and the Adjudicator for Criminal Injuries Compensation with Legal Services Division also provide assistance and information to the committee.

During the 2008-2009 fiscal year, the Victim Services Advisory Committee held quarterly meetings in June, September, January, and March. The committee was co-chaired by Donna Langille and Lisa Murphy. The activities of the committee during 2008-2009 included the following:

Services for Survivors of Sexual Assault

The committee reviewed, and endorsed for further distribution, a number of reports related to sexual assault in PEI. These included a statistical overview of reported cases of sexual assault in PEI; an Inventory of Resources for Survivors of Sexual Assault and Child Sexual Abuse in PEI; and a Best Practice Review of Services for Male Survivors of Sexual Assault.

Information for Newcomers to PEI

In conjunction with National Victims of Crime Awareness Week in April 2009, the Victim Services Advisory Committee will launch new informational brochures designed for newcomers to PEI. These resources will explain the services available for victims of crime on Prince Edward Island. With funding support from the Justice Canada Victims of Crime Fund, the materials will also be translated into four of the most common languages spoken by PEI's immigrant population – Mandarin, Korean, Persian, Spanish. In making material available in their first languages, this initiative will assist new immigrants to become aware of the services available to them.

Guest Speakers

The committee invited guest speakers on a number of topics:

- Ann Sherman provided an overview of her recent research: A Study of Self-Represented Litigants in the Supreme Court of Prince Edward Island 2008. This report includes information on the types of services that could be developed to help self-represented litigants in PEI, and proposes a number of recommendations for next steps.
- Attorney General Gerard Greenan and Deputy Attorney General Edison Shea met with the committee to discuss current initiatives of the Office of the Attorney General, including the recently announced Corrections Modernization Plan.
- Lori St. Onge, Director of the Aboriginal Justice Program, gave a presentation on the Aboriginal Justice Program and the types of circle interventions that are conducted within the Program. She explained the circle process and how it applies within the justice system response.

Information Items

A number of information items were brought to the attention of the Victim Services Advisory Committee during the year. Some of these included:

- reports from meetings of the F/P/T Ministers of Justice, and the F/P/T Working Group on Victims of Crime;
- amendments to federal and provincial legislation which have implications for victims and witnesses;
- funding increase for the Family Legal Aid Program, Office of the Attorney General;
- Child Sexual Abuse – Joint Investigators Course for police and child protection workers;
- annual police training on family violence and implementation of standardized approach to police investigation of family violence cases;
- establishment of an Impaired Driving Committee;
- opening of Chief Mary Bernard Women's Shelter;
- new policing agreement for the Abegweit First Nation;
- implementation of closed circuit TV/videoconferencing capability in PEI courthouses;
- highlights from the *Report of the Child Protection Act Review Advisory Committee*;
- information on PEI Youth Substance Use and Addictions Strategy;
- highlights of the *Ashley Smith Report*: a report of the New Brunswick Ombudsman and Child and Youth Advocate;
- update regarding status of Woman Abuse Protocols;
- information on the Seniors Safety Program;
- Information Session on Human Trafficking – May 2008;
- Workshop on Recent Criminal Code amendments – June 2008;
- Community Legal Information Association: new publications and project updates;
- National Victims of Crime Awareness Week activities – April 26 to May 2, 2009;

- World Elder Abuse Awareness Day – June 12, 2008;
- Aboriginal Justice Forum – October, 2008;
- Purple Ribbon Campaign Against Violence – December 2008;
- Equality Report Card published by the Advisory Council on the Status of Women in 2008;
- Atlantic Crime Prevention Conference – June 2009;
- National Canadian Youth Against Impaired Driving Conference to be held in PEI May 2009;
- 1st World Conference on Women's Shelters – September 2008;
- Justice Canada Symposium: *Family Violence – the Intersection of Family and Criminal Justice System Responses;*
- establishment of a Victimology Course at University of Prince Edward Island;
- Canadian Centre for Justice Statistics Reports:
  - *Youth Court Statistics 2006/2007*
  - *Youth Crime in Canada, 2006*
  - *Adult Criminal Court Statistics, 2006/07*
  - *Hate Crime in Canada, 2006*
  - *Crime Statistics in Canada 2007*
  - *PEI Crime Statistics 2007*
  - *Homicide in Canada, 2007*
  - *Immigrants and Victimization, 2004*
  - *Sexual Assaults in Canada, 2004*
  - *Family Violence in Canada, 2008*

Respectfully submitted,

Donna Langille

Donna Langille, Co-Chair

Lisa Murphy

Lisa Murphy, Co-Chair

Part III

Report of the Victim Services Program

Victim Services has provided a criminal justice system-based service to victims of crime province-wide since April, 1989. The system-based approach has the following key attributes:

- operates within the criminal justice system, but independently from the police, Crown attorneys, or the courts;
- is client-centred;
- maintains close working relationships with criminal justice personnel and community agencies;
- assists victims of crime at all stages of the criminal justice process;
- uses an outreach approach.

Mandate

Section 7 of the *Victims of Crime Act* states that the purpose of Victim Services is:

a) to assist victims as needed throughout their contacts with the criminal justice system;

b) to help victims to access other needed services;

c) to receive applications for criminal injuries compensation and investigate claims on behalf of the Minister;

d) to assist with the preparation and filing of victim impact statements;

e) to assist justice personnel and community agencies in providing services to victims;

f) to promote the Statement of Principles set out in section 2 of the act.

Mission Statement

Victim Services provides a client-centred service for victims of crime, ensuring respect for their dignity and privacy. Victim Services assists clients throughout their involvement with the criminal justice process.

Vision Statement

Victims Services' vision is that:

- all victims of crime on Prince Edward Island who require assistance through the criminal justice process will be referred at the earliest opportunity to Victim Services; and
- the response of all criminal justice personnel will be guided by the Statement of Principles in the *Victims of Crime Act*.

Goals

Victim Services goals are:

- to provide prompt, effective assistance to victims of crime, especially victims of crimes against the person, but not excluding any victim who needs assistance through the criminal justice process;
- to tailor the assistance provided to meet the needs of the particular client;
- to provide services to any victim of crime requiring assistance, regardless of their geographic location on Prince Edward Island;
- to investigate criminal injuries compensation claims and complete the case analysis for each claim as quickly as possible;

- by working collaboratively with the police and Crown attorneys, to ensure that all victims of crimes in which charges are laid are informed of their right to prepare and file a victim impact statement;
- to ensure that victims understand the implications of preparing and filing a victim impact statement and do so voluntarily;
- to promote the use of the *Victims of Family Violence Act* in appropriate cases.

Statistical Overview

Assistance provided to victims of crime includes:

- information about case status, the criminal justice system, and court procedures;
- emotional support and short-term counselling;
- referrals for legal, financial and long-term counselling services;
- assistance through the court process and with preparation of victim impact statements;
- investigation of applications for criminal injuries compensation; and
- assistance under the *Victims of Family Violence Act*.

Victim Services cases are categorized in the following classifications: general, sexual abuse, wife abuse, other family abuse, and commercial/institutional. The percentage breakdown of new cases by case classification in 2008/2009, and a comparison with previous years, are noted as follows:

Victim Services New Cases			
Type of Client	**Per Cent Breakdown**		
	2006/07	**2007/08**	**2008/09**
General*	53	50	48
Wife Abuse	25	29	31
Other Family Abuse	10	9	11
Sexual Abuse	6	5	7
Commercial/ Institutional	6	7	3

**** General includes break and enter, damage to property, theft, general assaults, etc.***

The following table illustrates the total and percentage of each type of case opened in 2008/2009. The table also indicates the police agency involved with each case.

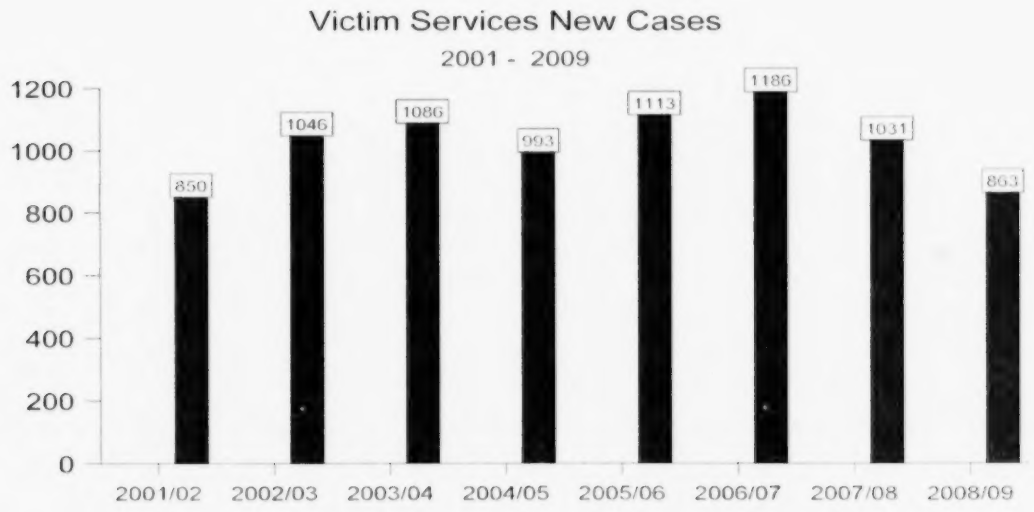
Table I

Victim Case Classification: New Cases 2008/2009

Police Jurisdiction	General	Sexual Abuse	Wife Abuse	Other Family Abuse	Commercial/ Institutional	Total
Alberton RCMP	19	4	25	9	1	58
Borden PD	1	1	1	0	0	3
Charlottetown PD	176	18	83	20	12	309
Charlottetown RCMP	55	17	49	28	2	151
Kensington PD	1	1	3	1	0	6
Montague RCMP	78	9	41	18	2	148
Summerside RCMP	14	5	22	7	1	49
Summerside PD	58	5	33	9	10	115
Souris RCMP	8	0	4	0	0	12
Out of Province/Other	3	3	6	0	0	12
Totals	**413**	**63**	**267**	**92**	**28**	**863**
Percentile	48	7	31	11	3	100

Caseload Trends

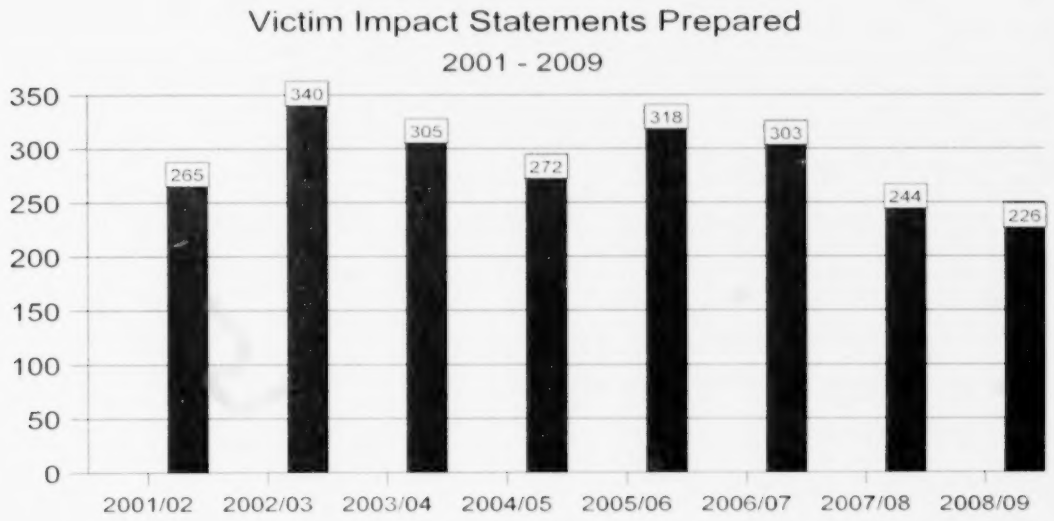
There were 863 new cases referred in 2008/2009, in addition to approximately 673 cases carried forward from the previous year. As of March 31, 2009, there were 531 active cases across the province.



Victim Impact Statements

Victim Services is designated by Lieutenant Governor in Council as the program responsible for preparing and filing victim impact statements. Victim impact statements outline the physical, emotional, and financial effects of the crime on the victim. After determination of guilt, the judge takes victim impact statements into consideration when deciding on sentence.

In 2008/2009, 226 victim impact statements were prepared and filed with the court. The trends since 2001 are illustrated in the graph below:



Offence Type and Offender Information

Assaults, including all levels of assault from common assault to aggravated assault, continue to be the most frequent type of crime in Victim Services' cases, representing 34 per cent of the new cases in 2008/2009. The next most frequent types of crime for Victim Services cases were: thefts (12%), break and enter (8%), uttering threats (8%), and sexual assaults (7%).

In 333 cases, there was a family type relationship between the victim and the suspect or offender. In 250 cases, the suspect or offender was a male partner or ex-partner (either current or former husband, common-law husband, or boyfriend).

The proportion of Victim Services clients victimized by adult offenders compared with young offenders has been consistent over the years. In 91 per cent of new cases in 2008/2009, the offenders were adults. In nine per cent of new cases, the offenders were youth.

Age Range and Gender of Victims

Age ranges of Victim Services' new clients were as follows:

under 12 years	2%
12 to 20 years	18%
21 to 40 years	32%
41 to 60 years	20%
61 years and over	5%
unknown/not recorded	23%

Sixty-eight per cent of Victim Services' new clients were females, and 32 per cent males.

Criminal Injuries Compensation

Under the *Victims of Crime Act*, Victim Services is responsible for investigating claims for criminal injuries compensation. Victim Services staff also assist victims with preparing their applications and gathering information to support their claims. Victim Services staff prepare a case analysis regarding each claim.

Designated persons within the Legal Services Division of the Office of Attorney General are responsible for adjudicating claims and writing a report, including recommendations, to the Attorney General who makes decisions regarding claims.

During the fiscal year 2008/2009, 25 new applications for criminal injuries compensation were filed. One hundred and seven applications were carried over from the previous year. Nineteen final decisions and four interim decisions were made in 2008/2009. A total of $107,697 was awarded in criminal injury compensation.

Further information and statistics regarding criminal injuries compensation are contained in Part IV of the Annual Report.

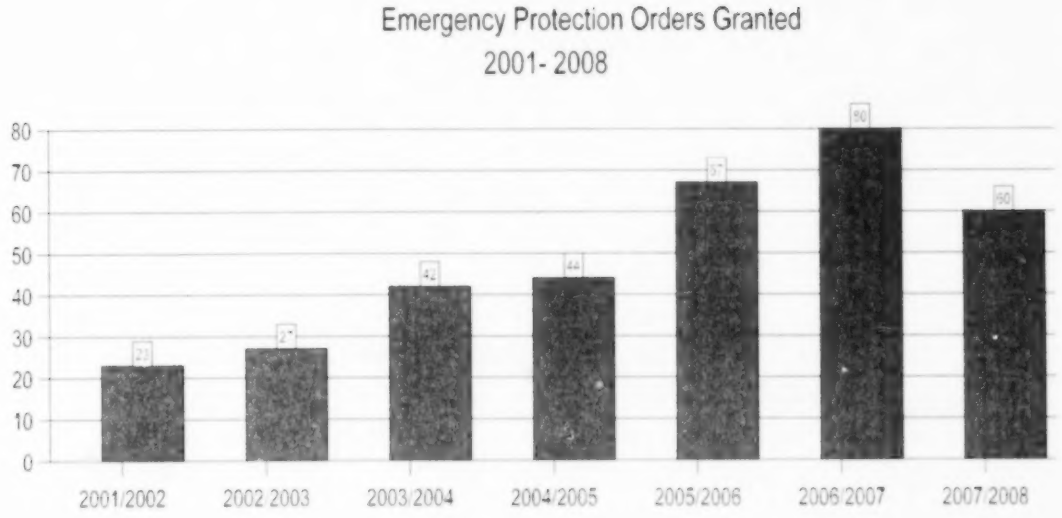
Victims of Family Violence Act

The *Victims of Family Violence Act* came into effect in December 1996. This provincial law addresses the need for victims to stay in their own homes, provides an additional remedy to supplement the Criminal Code, and enables the justice system to provide a more effective and timely response. Under this act, Emergency Protection Orders are available 24 hours/day from designated justices of the peace. In non-emergency situations, longer-term Victim Assistance Orders are available by application to the Supreme Court.

Victim Services staff assist with training and ongoing monitoring and promotion of the use of the *Victims of Family Violence Act*. Police officers and victim services workers are designated under the act to make application for emergency protection orders.

In 2008/09, there were 39 applications for Emergency Protection Orders under the *Victims of Family Violence Act*, and 38 orders were granted. Orders ranged from 29 days to 90 days in duration, with an average length of 48 days. Of the 38 orders granted, two were terminated at the victim's request, and eight were varied. Of the eight orders varied, four were extended in duration. Also in 2008/2009, there were two applications for victim assistance orders.

Since the proclamation of the act in December 1996, there have been a total of 504 Emergency Protection Orders granted. The trends since 2001 are illustrated in the graph below:



A Steering Committee continues to meet on a regular basis to assist in monitoring and training related to the act. This effort has resulted in an increase in the number of applications for Emergency Protection Orders over the past three years.

In partnership with the PEI Association of Chiefs of Police, the Steering Committee has continued to offer annual police training to implement a standardized response to reported incidents of domestic violence, and to enhance knowledge about risk factors and available options to protect victims.

Victim Services Program Highlights

Trends in Client Demand

- There were 863 new cases referred to Victim Services in 2008/2009, in addition to approximately 673 cases carried forward from the previous year. As of March 31, 2009, there were 531 active cases across the province. The average monthly caseload in 2008/09 was 657 cases.
- In 2008/20089 Victim Services assisted in the preparation and filing of 226 victim impact statements. Over the past 10 years, the number of victim impact statements filed has ranged from 157 to 340.
- Since 1999/2000, applications for Criminal Injury Compensation have fluctuated in the range of 20 to

61 applications per year. During the fiscal year 2008/2009, 25 new applications for criminal injuries compensation were filed.

Highlights and Initiatives:

- Initiatives were undertaken to strengthen linkages and expand services to minority and multicultural groups.
    - Partnerships with the aboriginal community continued to expand through presentations at workshops and training initiatives, and participation on the planning committee to host an Aboriginal Justice Forum in the fall of 2009.
    - Funding support from the Justice Canada Victims of Crime Fund was accessed to develop new informational brochures designed for newcomers to PEI. These materials will explain the services available for victims of crime, and will be translated into four of the most common languages spoken by PEI's immigrant population – Mandarin, Korean, Persian, Spanish.
    - Translation and interpreter services are accessed by Victim Services staff in cases where language barriers exist. The services utilized are trained translators knowledgeable about court, legal terms and the dynamics of family violence.
    - Representatives of the Aboriginal and Francophone community were appointed to the Victim Services Advisory Committee.
- Efforts to create a comprehensive response to address the needs of victims of family violence and sexual abuse continued through a number of initiatives:
    - A working group was formed in 2008 to determine the feasibility of moving forward with a domestic violence court option for PEI. Discussions are ongoing to develop a model and quantify resource requirements.
    - In collaboration with the Provincial Child Sexual Abuse Advisory Committee, Victim Services compiled a statistical overview of reported cases of sexual assault in PEI; and created an Inventory of Resources for Survivors of Sexual Assault and Child Sexual Abuse in PEI.
    - A Best Practice Review of Services for Male Survivors of Sexual Assault was completed and circulated to the Victim Services Advisory Committee and Provincial Child Sexual Abuse Advisory Committee for review and consideration of future initiatives.
    - Research was conducted to assist in the establishment of a Sexual Assault Nurse Examiner Program for PEI.
    - Victim Services participates on the Advisory Committee for the Circles of Support and Accountability project to support utilization of safety circles in high risk domestic violence cases. Victim Services staff also assist in identifying and supporting women who may benefit from a circle of safety and support.

- Implementation of criminal code amendments to facilitate testimony of children and other vulnerable witnesses were advanced through the following activities:
    - A survey was conducted to monitor utilization of testimonial aids in appropriate cases.
    - Victim Services staff participated in a one-day training session related to new federal legislative amendments.
    - Federal funding was accessed to implement closed circuit television and video conferencing capability in PEI courthouses.

Committee Participation

An important aspect of the work of Victim Services involves maintaining cooperative working relationships with other criminal justice and community agencies to coordinate case management and to effect positive long-term change for victims of crime. Staff participated in committees at various levels involving national, provincial, regional, divisional and community initiatives.

At the Federal/Provincial/Territorial level, the Provincial Manager participated on the FPT Victims of Crime Working Group.

Victim Services is represented on community and criminal justice based committees involving work in the area of family violence, sexual abuse, cultural and societal issues. These committees include:

- Steering Committee – *Victims of Family Violence Act*
- Justice Options for Women who are Victims of Domestic Violence
- West Prince Committee on Family Violence
- Provincial Child Sexual Abuse Advisory Committee
- Homophobia Task Force
- Provincial Working Group on Human Trafficking
- World Elder Abuse Awareness Day Committee
- High Risk Offender Committee
- Planning Committee for Aboriginal Justice Forum

As part of the Community and Correctional Services Division, Victim Services staff were involved in a number of departmental and divisional initiatives including:

- Divisional Wellness Committee
- Divisional Training Committee
- Staff Recognition Committee
- Occupational Health and Safety Committee
- Case Management Policy Committee

Education and Training

Victim Services staff participated in various education and training initiatives including:

- Reconsidering Trauma: Treatment Advances, Relational Issues, and Mindfulness in Integrated Trauma Therapy
- 2008 Atlantic Summer Institute on Healthy and Safe Communities: Reading Between the Lines: Health, Safety and Literacy
- Information Session on Human Trafficking

- Information Session on Changes to Federal Legislation
- Making the Connection: Emotional Well-Being and Productivity
- Best Practice Youth Justice Addictions – Atlantic Conference
- Motivational Interviewing
- Sexual Assault: Making a Difference Canada Conference

Public Education

Victim Services staff participate in opportunities to promote awareness and understanding of issues related to crime, victimization, victims' rights and available services. Presentations during the fiscal year 2008/2009 included:

- Aboriginal Justice Circle Keeper Workshop
- Police Training on *Victims of Family Violence Act*
- Volunteer Training – PEI Rape and Sexual Assault Crisis Centre
- Kensington – Borden Police Department
- Charlottetown Rural High School class: Law and Sociology
- UPEI class: Victims and Crime – Introduction to Victimology
- UPEI class: Issues in Criminal Justice
- Holland College: Human Services Program students
- Atlantic Police Academy: Sexual Assault Investigators Course
- Training for Internationally Educated Health Professionals
- Child Sexual Abuse Investigators Course

Objectives

Objectives for the 2009/2010 fiscal year include the following:

- establish an Aboriginal Victim Assistant Program to assist in delivering services to aboriginal victims of crime;
- explore options to improve the linkages between the family and criminal court systems in cases of family violence;
- implement standardized risk assessment in family violence cases;
- explore the feasibility of a study related to imposition and enforcement of restitution orders.

Staffing

Victim Services Offices are located in Charlottetown and Summerside.

Personnel as of March 31, 2009 include:

Provincial Manager
Susan Maynard

Victim Services Workers
Jean Profit
Darlene Oatway
Joy Coffin
Ev Marshall
Linda MacAulay
Kellie Profitt
Georgina Bowness (backfilling for Dina DesRoches)

Admin Support
Dianna Cudmore
Marya DesRoches

Part IV

Criminal Injuries Compensation Program

Introduction

Criminal injuries compensation is the payment of money from public funds to compensate victims of crimes for pain and suffering and expenses resulting from injury or death caused by certain crimes. Criminal injuries compensation is a fund of last resort, such that other means of compensation or reimbursement are to be sought first.

Authority for Prince Edward Island's Criminal Injuries Compensation Program is contained in Part IV of the *Victims of Crime Act*, which was proclaimed in force September 30, 1989. Amendments to Part IV which came into effect August 7, 1999, were designed to further simplify and speed up the process for assessing compensation claims.

The *Victims of Crime Act* is not retroactive; criminal injuries compensation can only be awarded in respect of an injury or death resulting from a crime that occurred after September 30, 1989.

Values

Criminal injuries compensation is one means to take action on Principle (b) from the Statement of Principles in the *Victims of Crime Act*, which states "victims should receive prompt and fair financial redress for the harm they have suffered."

Summary of the Legislation

In general, a claim for criminal injuries compensation may arise in the event of injury or death by an act that occurred in Prince Edward Island, and that injury or death must have directly resulted from the commission of a criminal offence prescribed in the regulations under the *Victims of Crime Act*. The applicant need not be a resident of Prince Edward Island.

The term "injury" is specifically defined in the *Victims of Crime Act* to mean actual bodily harm, including emotional trauma or pregnancy resulting from sexual assault, and mental or nervous shock. If a person suffers only property damage or loss as a result of a prescribed crime, he or she is not eligible for criminal injuries compensation. It is not necessary that anyone be prosecuted or convicted for the crime, but an award may be delayed pending the outcome of the criminal process. A determination of guilt is conclusive evidence that an offence has been committed.

Eligible Applicants

The Attorney General may order criminal injuries compensation –

1. to or for the benefit of the victim;
2. to any person, in respect of financial loss suffered by or expenses incurred by that person as the result of the death or injury of the victim;
3. to any one or more of the dependants of the victim.

Compensable Losses

Compensable losses include:

1. reasonable expenses incurred or likely to be incurred as a result of the victim's injury or death;
2. financial losses resulting from total, partial or temporary disability affecting the victim's capacity for work;
3. financial loss to dependents resulting from the victim's death;
4. pain and suffering;
5. maintenance of a child born as a result of sexual assault;
6. financial loss incurred in respect of grief or sorrow as a result of the victim's death; and
7. other financial loss resulting from the victim's injury, and any other expense that, in the opinion of the minister or, in the case of a small claim, in the opinion of a designated person, it was reasonable to incur.

Maximum Award

The maximum amount payable to **all applicants** in respect of the injury or death of **one victim** is $15,000. The maximum amount payable to **all applicants** in respect of **one occurrence** (that is, one incident resulting in injury or death to more than one victim) is $30,000. The award cannot exceed these limits.

Volume of Applications

During the fiscal year 2008/2009, 25 new applications for criminal injuries compensation were filed. One hundred and seven applications were carried over from the previous year. Nineteen final decisions and four interim decisions were made in 2008/2009. A total of $107,697 was awarded in criminal injury compensation.

The following statistical tables summarize the criminal injuries compensation program during 2008/2009:

Table II
Applications – Statistical Summary
April 1, 2008 to March 31, 2009

New applications filed	25
Applications carried over from last year	107
Variation applications	0
Appeals	0
Total	**132**
Decisions made:	
award denied	0
full award granted	17
interim award	4
reduced award	2
variation	0
Total	**23**
Withdrawn applications	1
Files carried forward to next fiscal year	112

Table III
Categories of Victims
(Based on Final and Interim Awards)
April 1, 2008 to March 31, 2009

Types of Victims	Number
General	10
Other family abuse	6
Sexual abuse	5
Wife abuse	2
Total	**23**

Table IV
Crimes Involved in Final Awards Granted
April 1, 2008 to March 31, 2009

Criminal Code Section	Number of Awards
236 (manslaughter)	1
239 (attempted murder)	1
266 (assault)	8
267 (assault with weapon/causing bodily harm)	3
268 (aggravated assault)	2
271 (sexual assault)	2
273 (aggravated sexual assault)	1
343 (robbery)	1
Total	**19**

Table VI
Compensation Ordered*
April 1, 2008 to March 31, 2009

Pain and suffering	$ 71,742
Expenses	$ 35,355
Total Awarded	**$107,697**

*Note: Compensation ordered in one fiscal year may be paid out in a different fiscal year (e.g., for dental expenses.

Table VII
Age and Gender of Victims
(Based on Final and Interim Awards)
April 1, 2008 to March 31, 2009

Age	No. of Victims
under 10	1
11-20	7
21-30	5
31-40	7
41-50	0
51-60	2
61-70	0
71 +	1
Total	**23**
Gender	
Female	10
Male	13
Total	**23**

Part V

Victim Assistance Fund

Victim Services Summary of Revenue and Expenditures

Revenue			
	Budget Amount	**Actual Year Ended March 31, 2009**	**Projects**
Victim Surcharge - federal offences - provincial offences	 45,000 175,000	 57,216 205,861	
Community Service Work Option	0	0	
Donations/honorarium	0	0	
Restitution/civil suit reimbursement	0	181	
Victims of Crime Fund (Justice Canada)	108,034	115,509	115,509*
Total Revenue	**328,034**	**378,767**	**115,509**
Minus Project Revenue		115,509	
		263,300	

Note:

* Revenue was received from the Victims of Crime Fund, Justice Canada, in the amount of $115,509 for two projects:

Victim Services Worker – Queens County
Victim Services Worker – Western Region

Expenditures			
	Budget Amount	**Actual Year Ended March 31, 2009**	**Projects**
Administration	11,500	11,211	1,221
Equipment	5,000	2,401	443
Materials/supplies	4,200	3,108	0
Professional/Contract Services	1,500	1,663	0
Salaries/benefits	527,100	539,998	108,723
Travel	16,600	17,431	3,076
Criminal Injuries Compensation	100,000	103,255	0
Victim Assistants Fees	0	45	0
Total Expenditures	**665,900**	**679,103**	**113,463**
Minus Project Expenditures		113,463	
		565,640	

Note:

Project expenditures were for the two Victim Services projects listed above.

Accounting Procedures:

All revenues and expenditures related to Victim Services are recorded in the accounts of the Province and included in the Public Accounts.